

*Department of Commerce*

# **Office of Miners' Health, Safety, and Training**

## **Mission**

The West Virginia Office of Miners' Health, Safety, and Training is statutorily responsible for the supervision of the execution and enforcement of the various provisions of the state's mining laws and rules. Prime consideration is mandated for the protection of the health and safety of all persons employed within or at the mines of this state and, consistent with such prime consideration, the office is also statutorily charged with the protection and preservation of mining property and property used in connection therewith. The office pursues these mandates by impartially executing and enforcing the state's mining laws and rules in a cooperative spirit through a comprehensive approach that includes administration, inspection and enforcement, investigative and consultative activities, and the timely implementation of specifically functional training activities focused on all segments of the mining industry.

## **Operations**

### ***Administration***

- Supervise and direct the execution and enforcement of state mining laws and rules.
- Implement inspection, enforcement, and training programs.
- For purposes of administrative support and liaison with the Governor's Office, the following boards, committees, and commissions are included in the West Virginia Office of Miners' Health, Safety, and Training:
  - \* Board of Coal Mine Health and Safety
  - \* Coal Mine Safety and Technical Review Committee
  - \* Board of Miner Training, Education, and Certification
  - \* Mine Inspectors' Examining Board
  - \* Board of Appeals
  - \* Diesel Equipment Commission

### ***Inspection and Enforcement***

- Conduct required inspections at all types of mines.
- Investigate accidents and fatalities.
- Respond to complaints relative to dangerous conditions or noncompliance.

### ***Training***

- Establish and implement programs to reduce accidents and fatalities in the mining industry.

# Expenditures

	TOTAL FTE POSITIONS 11/30/2004	ACTUALS FY 2004	BUDGETED FY 2005	REQUESTED FY 2006	GOVERNOR'S RECOMMENDATION
<b>EXPENDITURE BY PROGRAM</b>					
Administration	12.50	\$3,060,976	\$1,742,966	\$1,661,496	
Inspection & Enforcement	82.00	4,677,881	5,860,265	5,650,220	
Training	16.00	797,637	2,066,295	1,814,810	
Less: Reappropriated		0	0	0	
<b>TOTAL BY PROGRAM</b>	<b>110.50</b>	<b>8,536,494</b>	<b>9,669,526</b>	<b>9,126,526</b>	<b>9,117,914</b>
<b>EXPENDITURE BY FUND</b>					
<b>General Fund</b>					
FTE Positions		84.00	82.00	91.00	91.00
Total Personal Services		3,613,175	3,719,156	4,118,856	4,118,856
Employee Benefits		1,292,704	1,391,000	1,494,475	1,551,243
Other Expenses		816,167	775,605	272,430	283,500
Less: Reappropriated		0	0	0	0
<b>Subtotal: General Fund</b>		<b>5,722,046</b>	<b>5,885,761</b>	<b>5,885,761</b>	<b>5,953,599</b>
<b>Federal Fund</b>					
FTE Positions		11.00	10.00	10.00	10.00
Total Personal Services		422,471	602,650	603,200	603,200
Employee Benefits		129,729	182,800	197,100	197,100
Other Expenses		113,967	805,315	530,465	530,465
<b>Subtotal: Federal Fund</b>		<b>666,167</b>	<b>1,590,765</b>	<b>1,330,765</b>	<b>1,330,765</b>
<b>Appropriated Special Fund</b>					
FTE Positions		8.50	7.50	7.50	7.50
Total Personal Services		367,884	400,300	400,300	400,300
Employee Benefits		126,540	138,000	138,000	138,000
Other Expenses		823,424	1,001,700	1,001,700	925,250
Less: Reappropriated		0	0	0	0
<b>Subtotal: Appropriated Special Fund</b>		<b>1,317,848</b>	<b>1,540,000</b>	<b>1,540,000</b>	<b>1,463,550</b>
<b>Nonappropriated Special Fund</b>					
FTE Positions		9.00	11.00	2.00	2.00
Total Personal Services		170,564	487,000	86,900	86,900
Employee Benefits		58,555	166,000	19,625	19,625
Other Expenses		601,314	0	263,475	263,475
<b>Subtotal: Nonappropriated Special Fund</b>		<b>830,433</b>	<b>653,000</b>	<b>370,000</b>	<b>370,000</b>
<b>TOTAL FTE POSITIONS BY FUND</b>		<b>112.50</b>	<b>110.50</b>	<b>110.50</b>	<b>110.50</b>
<b>TOTAL EXPENDITURES BY FUND</b>		<b>\$8,536,494</b>	<b>\$9,669,526</b>	<b>\$9,126,526</b>	<b>\$9,117,914</b>

*Office of Miners' Health, Safety, and Training*  
**Programs**

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## ***Administration***

### **Mission**

The mission of the Administrative operation is to efficiently supervise and direct the execution and enforcement of the state's mining laws and rules and implement the inspection, enforcement, and training programs of the office.

### **Goals/Objectives**

- Provide leadership, management, and control for all program levels (organization, planning, communication, motivation, accounting, budgeting, payroll, purchasing, etc.).
- Support a liaison with the Governor's Office and the West Virginia Legislature with respect to revisions of existing statutes and rules and the implementation of new statutes and rules applicable to the state's mining industry.
- Maintain a safety information computer system to track production, employment, accidents, permits, ownership, assessments, inspections, programs, and grant activities.
- Issue new mining permits and certificates of approval and extensions as promptly as possible.
- Provide necessary state and federal reports accounting for expenditures of General, Special, and Federal Revenues.
- Provide to the Governor and the West Virginia Legislature by July 1st a comprehensive annual report detailing all operations of the office required by statute.

### **Performance Measures**

- ✓ Provided the annual report on time.

<u>Calendar Year</u>	<u>Actual</u> <u>2002</u>	<u>Estimated</u> <u>2003</u>	<u>Actual</u> <u>2003</u>	<u>Estimated</u> <u>2004</u>	<u>Estimated</u> <u>2005</u>	<u>Estimated</u> <u>2006</u>
Permits closed	561	550	380	413	380	360
New permit approvals issued	400	400	274	339	400	420
Approval extensions issued	1,921	2,000	1,934	1,826	1,900	1,950
Site specific permits issued	759	770	936	856	920	950

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## ***Inspection and Enforcement***

### **Mission**

The mission of Inspection and Enforcement is to afford prime consideration to the protection of the health and safety of all persons employed within or at the mines of West Virginia and to protect and preserve mining property and property used in connection therewith. W.Va. Code §22A and promulgated rules mandate that all underground coal mines, clay mines, limestone mines, and sandstone mines be inspected a minimum of four times each year; that all surface coal mines, quarries, preparation plants, load out facilities, and cement manufacturing plants be inspected a minimum of twice each year; that electrical inspectors must inspect all operations assigned to them a minimum of once each year; and that all inspectors must inspect independent contractors (including all coal haulage trucks) performing services or construction at each mine site for each inspection.

Additionally, each fatality and serious accident (fires, explosions, roof falls, inundations, etc.) must be investigated and a formal written report made to the director of the office, setting forth with particularity the results of each investigation, including the condition of the mine and the cause or causes of each fatality and

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serious accident, if determinable. Also, if miners or one of their authorized representatives have reason to believe at any time that dangerous conditions are existing or that the law is not being complied with, they may request the director to make an immediate investigation.

### Goals/Objectives

- Inspect all operations in accordance with relevant statutes.
- Inspect all independent contractors performing services and/or construction on mine property, including all coal haulage trucks.
- Issue appropriate notices and orders for each violation noted.
- Conduct comprehensive investigations with regard to serious or fatal accidents, placing a special emphasis on the prevention of reoccurrence.
- Consult with management and labor in the development and approval of required mining plans (roof control, ventilation, comprehensive safety, etc.).
- Respond promptly to complaints from any miner, at any mine, relative to dangerous conditions or to noncompliance with pertinent laws or rules.
- Provide consultation services to the mining industry regarding the achievement and maintenance of compliance with mandatory standards.
- Communicate with the administration of the office to distribute in a timely manner important informational brochures and bulletins to the mining industry.

### Performance Measures

<u>Calendar Year</u>	<u>Actual</u> <u>2002</u>	<u>Estimated</u> <u>2003</u>	<u>Actual</u> <u>2003</u>	<u>Estimated</u> <u>2004</u>	<u>Estimated</u> <u>2005</u>	<u>Estimated</u> <u>2006</u>
Inspections (in days)	4,764	N/A	5,787	5,990	6,800	7,500
Violations issued by mine Inspectors	7,956	N/A	6,539	6,800	7,700	8,500
Lost time injuries of mining personnel*	1,238	N/A	1,138	1,175	1,175	915

\* Number of occasions when mining personnel were unable to work their next shift due to injuries.

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## Training

### Mission

The mission of the Training program is to protect the health and safety of all persons working within or at the mines of West Virginia by establishing and implementing aggressive programs to reduce the number of fatalities and to decrease the frequency and severity of injuries, accidents, and noncompliance with the mining laws and rules. W.Va. Code §22A-1-9 mandates that the office employ eleven mine safety instructors.

### Goals/Objectives

- Train coal miners and independent contractors in disciplines requiring state certifications (foreman, electrician, mine examiner, etc.).
- Administer certification examinations to coal miners and independent contractors.
- Review and approve or modify site-specific comprehensive safety programs required of each entity in the mining industry.
- Monitor private sector training classes to ensure quantity and quality of training.
- Provide training in mine emergency operations; mine rescue; bench man; first-aid; emergency medical services; self-contained, self-rescuer devices; AC/DC electrical safety; and recognition of real and potential mine hazards.
- Conduct mine rescue, first-aid, bench man, and preshift contests at the local, state, and national levels to ensure the adequacy of emergency preparedness.
- Educate coal miners and independent contractors with respect to coal mining-related respiratory diseases.

## Performance Measures

- ✓ Reviewed, updated, and modified comprehensive safety programs for 2,050 independent contractors, 273 deep mines, 190 surface mines, 152 prep plants/load-outs, and 92 quarries.
- ✓ Participated in 50 mine rescue/first-aid/preshift and bench man contests in FY 2004.

<u>Calendar Year</u>	<u>Actual</u> <u>2002</u>	<u>Estimated</u> <u>2003</u>	<u>Actual</u> <u>2003</u>	<u>Estimated</u> <u>2004</u>	<u>Estimated</u> <u>2005</u>	<u>Estimated</u> <u>2006</u>
Certification examinations administered	7,700	N/A	5,861	10,000	12,500	12,750
Total mining certifications issued	8,630	N/A	6,525	9,700	13,900	14,100
Supervisory mining certifications issued	486	N/A	433	390	540	550